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## LABOUR & EMPLOYMENT DEPARTMENT

### NOTIFICATION

The 22nd January 2009

No. 636—li/1(J)-14/2007-(Pt.)-L. E.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Award, dated the 12th November 2008 in Industrial Dispute Case No. 7 of 2008 of the Presiding Officer, Labour Court, Jeypore to whom the Industrial Dispute between the Management of M/s. Mandal Service Co-operative Society Limited, Mandal, district Kalahandi and their workman Shri Gunabanta Naik was referred for adjudication is hereby published as in the Schedule below :

### SCHEDULE

IN THE COURT OF THE PRESIDING OFFICER, LABOUR COURT, JEYPORE  
KORAPUT

INDUSTRIAL DISPUTE CASE No. 7 OF 2008

Dated the 12th November 2008

#### *Present :*

Shri P. K. JENA, O.S.J.S. (Jr. Branch),  
Presiding Officer, Labour Court,  
Jeypore, district Koraput.

#### *Between :*

The President/Secretary,  
M/s. Mandal Service Co-operative  
Society Limited, Mandal,  
At/P.O. Mandal, Dist. Kalahandi.

.. First Party—Management

#### *Versus*

Shri Gunabanta Naik,  
S/o. Late Ranjita Naik,  
At/P.O. Mandal, P.S. Jaipatna,  
Dist. Kalahandi.

.. Second Party—Workman

Under Sections 10 & 12 of the Industrial Disputes Act, 1947.

*Appearances :*

For the First Party—Management	.. None
For the Second Party—Workman	.. Self
Date of Argument	.. 5-11-2008
Date of Award	.. 12-11-2008

This is a reference under Section 10(1), read with Section 12(5) of the Industrial Disputes Act, 1947 made by the State Government of Orissa in their Labour & Employment Department Memo No. 5993(5), dated the 26th May, 2008 for adjudication of the dispute mentioned below :

SCHEDULE

“Whether the action of the management of M/s. Mandal Service Co-operative Society Limited, Mandal, district Kalahandi in terminating the services of Shri Gunabanta Naik, Salesman with effect from the 30th November 2006 is legal or justified ? If not, what relief Shri Naik is entitled to ?”

AWARD

2. The second party workman in order to prove his case has examined as P. W. No. 1 stating that he has been engaged as a Peon-*cum*-Salesman under the first party management with effect from the 1st July 1995 but without any reason his services was terminated by the management on the 30th November 2006 and he worked continuously up to the 30th November 2006 without any reason and without giving him any benefits. The second party workman raised the dispute which has been subsequently referred to this Court for adjudication.

3. In spite of valid notice, the first party management did not appear nor contested the case and as such he is set *ex parte*.

4. The action of the management of the M/s. Mandal Service Co-operative Society Limited, Mandal, district Kalahandi in terminating the services of Shri Gunabanta Naik, Peon-*cum*-Salesman with effect from the 30th November 2006 is held illegal and unjustified and he is entitled to reinstatement with full back wages within three months from the date of order.

Accordingly the reference is answered.

Dictated and corrected by me.

P. K. JENA  
12-11-2008  
Presiding Officer  
Labour Court, Jeypore

P. K. JENA  
12-11-2008  
Presiding Officer  
Labour Court, Jeypore

By order of the Governor  
K. C. BASKE  
Under-Secretary to Government